

### REMARKS

Claims 1-27 currently remain in the application. Claims 1, 3, 9, 10, 12, 18, 20, 21, 24 and 27 have been amended. No new matter has been added. Applicants respectfully request reconsideration in view of the preceding amendments and following remarks.

In accordance with the Examiner's request, the Specification has been searched and amended to correct a few minor typographical errors. No new matter has been added.

The present invention expedites compressed video data delivery by selectively passing through or transcoding compressed video data on a sub-picture level. In MPEG embodiments, compressed video data pass through/transcoding selection may occur on a macroblock or slice level. This permits portions of a picture that need no rate reduction to be passed through without transcoding and maintains image quality in these portions. The passed through data may be block copied from an input buffer to an output buffer for example, which also eliminates computational load associated with transcoding the passed through data.

The claims have been amended to clarify the present invention. Claim 1, for example, has been amended and now recites "a transmitting network interface designed or configured to transmit the passed through macroblock data onto the channel". This reiterates that passed through compressed video data is transmitted. No new matter has been added. Support for this amendment can be found in the Specification on page 9, line 17 to page 11, line 8, and page 12, line 25 to page 16, line 4.

### Rejection under 35 U.S.C. § 102

The Examiner rejected claims 1-7, 9-14 and 17-21 under 35 U.S.C. 102(e) as being anticipated by US Patent No. 6,711,212 B1 to Lin et al. (referred to herein as 'Lin').

Lin describes a multipoint video conferencing system that combines frames from multiple participants. The video conferencing system employs a skipping technique to enhance visual quality of certain participants. More specifically, Lin detects motion vectors for active participants and skips – or drops – frames from non-active participants. Frames of inactive participants are eliminated and the resulting saved bits are reallocated to increase bandwidth for the video feeds of the active participants.

The Office Action dated September 2, 2004 points to Lin: col. 7, lines 60-67 to teach selectively passing through macro block data in the compressed video data. Applicant respectfully disagree. This section of Lin teaches skipping (or dropping) frames.

Firstly, skipping as taught by Lin does not anticipate or remotely suggest 'passing through' as recited in independent claims. As one of skill in the art will appreciate, and as described in the Specification and in dependent claim 11 for example, passing through of data as claimed refers to copying data. Quite oppositely, Lin's 'skipping' eliminates data. Thus, Lin does not anticipate or suggest this element of the claimed invention.

Secondly, this divergent teaching is further illustrated by the amendment to independent claim 1, which now recites "a transmitting network interface designed or configured to transmit the passed through macroblock data onto the channel". Since Lin dropped the frames (to create room for other active participant feeds), he does not transmit any passed through macroblock data. Thus, Lin does not teach this transmitting element of the claimed invention.

Thirdly, Lin drops entire frames (see col. 7, lines 63-64). While the separate video feeds are subsequently combined as sub-windows into a common window, any skipping and dropping by Lin occurs on an entire frame and before the combination. Even the section of Lin pointed to in the Office Action (see col. 7, lines 60-67) solely mentions frames and does not address selectively passing through macroblock data, as recited. Thus, Lin does not anticipate macroblock level granularity rate control as recited in independent claim 1.

Independent claims 12, 20, 21, 24 and 27 include limitations that are similar to independent claim 1 and are patentable for at least the reasons described above with respect to independent claim 1.

Therefore, Applicant respectfully submits that Woodhead does not teach or suggest independent claims 1, 12, 20, 21, 24 and 27, and that the independent claims are allowable.

Claims 2-11 and 13-19, 22 and 25-26 each depend either directly or indirectly from independent claims 1, 12, 20, 21, 24 and 27 and are patentable over the art of record for at least the reasons set forth above with respect to the independent claims. For example, dependent claim 10 recites that "the network device copies the macroblock data selected for pass through from the input buffer to the output buffer". As mentioned above, Lin drops frames, and does not teach copying. For at least these reasons, depending claim 11 is allowable.

In addition, depending claim 3 recites "wherein the processing apparatus is designed or configured to count the number of bits in a macroblock to locate the macroblock boundaries". The Office Action points to the same section of Lin used above: column 7, lines 60-67 to teach this limitation. However, this section of Lin does not mention a number of bits in a macroblock, macroblock boundaries, or counting the number of bits in a macroblock. For at least these reasons, depending claim 3 is also allowable.

Withdrawal of the rejection of under 35 U.S.C. § 102(e) is therefore respectfully requested.

Rejection under 35 U.S.C. § 103

The Examiner rejected claims 8, 15 and 16 under 35 U.S.C. 103(a) as being unpatentable over Lin in view of US Patent No. 6,577,679 to Apostolopoulos (referred to herein as 'Apostolopoulos').

The Office Action dated September 2, 2004 notes that Lin fails to disclose that the executed instructions are stored on a computer readable medium (see page 7 of the Office Action) and uses Apostolopoulos to teach storing instructions for transcoding. Apostolopoulos, however, does not correct deficiencies described above with respect to Lin and independent claim 12. Specifically, Apostolopoulos does not teach "a rate controller designed or configured to selectively pass through macroblock data; and a transmitting network interface designed or configured to transmit the passed through macroblock data onto the channel".

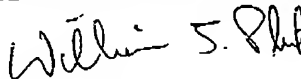
Withdrawal of the rejection of under 35 U.S.C. § 103(a) is therefore respectfully requested.

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Applicant hereby petitions for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Response is to be charged to Deposit Account No. 50-0388 (Order No. CISC275).

Respectfully submitted,

BEYER WEAVER & THOMAS, LLP



William J. Plut

Limited Recognition under 37 C.F.R. §10.9(b)

P.O. Box 778

Berkeley, CA 94704-0778

650-961-8300

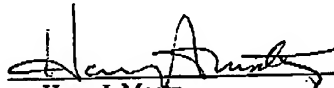
**BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE  
UNITED STATES PATENT AND TRADEMARK OFFICE**

**LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)**

William Plut is hereby given limited recognition under 37 CFR § 10.9(b) as an employee of the Beyer Weaver & Thomas, LLP law firm to prepare and prosecute patent applications wherein the patent applicant is the client of the Beyer Weaver & Thomas, LLP law firm, and the attorney or agent of record in the applications is a registered practitioner who is a member of the Beyer Weaver & Thomas, LLP law firm. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) William Plut ceases to lawfully reside in the United States, (ii) William Plut's employment with the Beyer Weaver & Thomas, LLP law firm ceases or is terminated, or (iii) William Plut ceases to remain or reside in the United States on an TN visa.

This document constitutes proof of such recognition. The original of this document is on file in the Office of Enrollment and Discipline of the United States Patent and Trademark Office.

**Expires: April 21, 2005**

  
Harry L. Moatz  
Director of Enrollment and Discipline